

DAVID K. BERTAN
ATTORNEY AT LAW
41 EAST 11TH STREET, 11TH FLOOR
NEW YORK, NEW YORK 10003

(718) 742-1688
E-MAIL: DBERTAN@YAHOO.COM

October 14, 2022

Via ECF

Hon. Paul G. Gardephe, United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Re: USA v. Stuart Finkelstein
Docket No. 21-Cr-217 (PGG)

Dear Judge Gardephe:

I represent Mr. Finkelstein in the above matter. Sentencing is set for November 15, 2022 at 11:00 AM. I am respectfully requesting an adjournment of sentencing for two reasons. First, Mr. Finkelstein and I have been collecting materials, including medical records, that would be relevant to this Court's sentencing determination. Second, Mr. Finkelstein was in a serious car accident this past Monday, October 10, 2022. While he has not suffered serious injuries, he lost a tooth, his car was totaled, with all airbags deploying, and he is still disoriented and in pain from the collision. As a result, we will need additional time to compile the necessary records, to review financial documents, and to prepare for sentencing. Accordingly, I am respectfully requesting that sentencing be adjourned. The Government has no objection to my request for the adjournment. Please note I am available during the week of January 23, 2023, or after February 13, 2023 (I will be on trial in the case of USA v. Olajumoke, 19-Cr-291, before Judge Loretta A. Preska from January 30, 2023 through approximately February 10, 2023).

Thank you for your consideration in this matter.

Very truly yours,


David K. Bertan, Esq.

cc: AUSA Rushmi Bhaskaran (via ECF)